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SYSTEMS, INC.

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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

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11 MIKE STONE,
12 Plaintiff,
13 vs.
14 PARAGON SYSTEMS, INC., dba
PARASYS, INC., a Virginia
15 corporation and DOES 1-10,
16 Defendant.

Case No. 2:15-cv-07715

Los Angeles Superior Court Case
No. BC592832

**DEFENDANT PARAGON SYSTEM
INC.'S ANSWER TO COMPLAINT**

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18 Pursuant to Rule 8(b), Federal Rules of Civil Procedure, defendant Paragon
19 Systems, Inc. ("defendant") answers the Complaint of plaintiff Mike Stone
20 ("plaintiff"). If an averment is not specifically admitted, it is hereby denied.

21

ANSWER TO COMPLAINT

22 1. Answering Paragraph 1, defendant admits that plaintiff has sued
Paragon Systems, Inc, as identified therein, but denies its liability therefore.
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24 2. Answering Paragraphs 3, 4, 7, 8, 12, 13, 15, 17, 18, 19, 21, 22, 23, 24,
25 26, 28, 29, 31, 33, 34, and 35, defendant lacks sufficient knowledge or
26 information to form a belief concerning the truth of the factual allegations contained
27 therein and on that basis denies such allegations. Paragraphs 3, 23, 24, 25, 26,
28 further contain legal conclusions and argument as to which no response is required.

1 3. Answering Paragraph 6, defendant admits it is a security management
2 company providing security for the Department of Homeland Security at the SSA
3 building in Huntington Park, Ca. Except as expressly admitted herein, defendant
4 denies each and every allegation contained therein.

5 4. Answering Paragraphs 2 and 5, defendant admits the allegations
6 contained therein.

7 5. Answering Paragraphs 9, 38, 39, 40, 41, 44, 45, 46, 47, 48, 50, 51, 52,
8 54, 55, 56, 58, 59, 60, 61, 63, 64, 65, 66, 67, 69, 70, 71, and 72, defendant denies the
9 allegations contained therein.

10 6. Answering Paragraph, 11, defendant admits that venue lies in the
11 Central District, and the amount in controversy exceeds \$75,000, and that plaintiff
12 has filed a tort claim. Except as expressly admitted herein, defendant denies each
13 and every allegation contained therein.

14 7. Answering Paragraphs 14 and 30, defendant admits that plaintiff was
15 asked to leave the Oxnard SSA office. Except as expressly admitted herein,
16 defendant lack sufficient information and belief to enable it to respond, and
17 therefore, denies each and every allegation contained therein.

18 8. Answering Paragraphs 16 and 32, defendant admits that plaintiff
19 received a letter from the SSA banning plaintiff from entering its offices. Except as
20 expressly admitted herein, defendant denies each and every allegation contained
21 therein.

22 9. Answering Paragraphs 20, 36, and 43, defendant admits that plaintiff
23 called the Huntington Park SSA office and tried to arrange to enter the office but
24 was told he could not because he was banned, and then called back and made
25 another appointment with someone that did not know the plaintiff was banned, then
26 entered the SSA office, and upon being told multiple times that he was banned and
27 would have to leave, plaintiff refused so a security professional in defendant's
28 employee handcuffed the plaintiff for his, the public's, and the security

1 professional's protection, until officers of the Federal Protective Service could
2 respond and question plaintiff. Except as expressly admitted herein, defendant
3 denies each and every allegation contained therein.

4 10. Answering Paragraphs 27, 37, 42, 49, 53, 57, 62, and 68, defendant
5 incorporates the respective answer to the paragraphs reference therein.

6 **AFFIRMATIVE DEFENSES**

7 Defendant pleads the following separate defenses. Defendant reserves the
8 right to assert additional affirmative defenses that discovery indicates are proper.

9 **FIRST AFFIRMATIVE DEFENSE**

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11 1. As a separate and first affirmative defense to the Complaint, and to the
12 purported causes of action set forth therein, defendant alleges that the Complaint
13 fails to state facts sufficient to constitute a cause of action.

14 **SECOND AFFIRMATIVE DEFENSE**

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16 2. As a separate and second affirmative defense to the Complaint and each
17 purported cause of action contained therein, defendant alleges that the actions taken
18 by defendant were the exercise of reasonable business judgment.

19 **THIRD AFFIRMATIVE DEFENSE**

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21 3. As a separate and third affirmative defense to the Complaint and each
22 purported cause of action contained therein, defendant alleges that the actions taken
23 by defendant were in full compliance with the law.

24 **FOURTH AFFIRMATIVE DEFENSE**

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26 4. As a separate and fourth affirmative defense to the Complaint and each
27 purported cause of action contained therein, defendant alleges that plaintiff is barred

1 from prosecuting the purported causes of action set forth in the Complaint because
2 plaintiff consented to and acquiesced in the subject conduct.

3 **FIFTH AFFIRMATIVE DEFENSE**
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5 5. As a separate and fifth affirmative defense to the Complaint and each
6 purported cause of action contained therein, defendant alleges that it acted in good
7 faith and entertained an honest, reasonable belief that the actions taken were
8 necessary.

9 **SIXTH AFFIRMATIVE DEFENSE**
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11 6. As a separate and sixth affirmative defense to the Complaint and each
12 purported cause of action contained therein, defendant alleges that plaintiff is barred
13 in whole or in part from prosecuting the purported causes of action set forth in the
14 Complaint by the doctrine of unclean hands.

15
16 Wherefore, defendant prays that:

17 1. The Complaint be dismissed, with prejudice and in its entirety;
18 2. The plaintiff take nothing by reason of this Complaint and that
19 judgment be entered against plaintiff and in favor of defendant;
20 3. The defendant be awarded his attorneys' fees and costs incurred in
21 defending this action;

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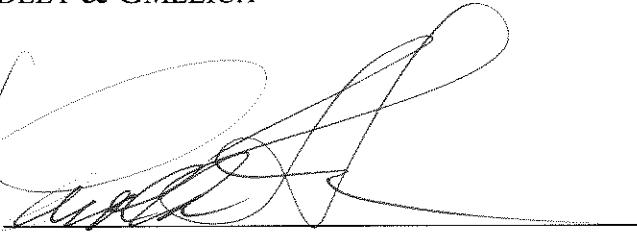
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1 4. The defendant be granted such other and further relief as the Court may
2 deem just and proper.

3 Dated: November 3, 2015

BRADLEY & GMELICH

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5
6 By: 
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Barry A. Bradley
Carol A. Humiston

9 Attorneys for Defendant, PARAGON
10 SYSTEMS, INC.

11 BRADLEY & GMELICH
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1 **PROOF OF SERVICE**

2 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

3 At the time of service, I was over 18 years of age and **not a party to this**
4 **action.** I am employed in the County of Los Angeles, State of California. My
business address is 700 North Brand Boulevard, 10th Floor, Glendale, California
91203.

5 On November 4, 2015, I served true copies of the following document(s)
6 described as **DEFENDANT PARAGON SYSTEM INC.'S ANSWER TO**
COMPLAINT on the interested parties in this action as follows:

7 Nick Andrea, Esq.
8 NR Andrea Law Firm
225 South Lake Avenue, Suite 300
9 Pasadena, CA 91101
Telephone: 213-330-4236
10 E-Mail: nick@nrandrea.com
Attorney for Plaintiff. Mike Stone

11

12 **BY CM/ECF NOTICE OF ELECTRONIC FILING:** I electronically filed
the document(s) with the Clerk of the Court by using the CM/ECF system.
13 Participants in the case who are registered CM/ECF users will be served by the
CM/ECF system. Participants in the case who are not registered CM/ECF users will
14 be served by mail or by other means permitted by the court rules.

15 I declare under penalty of perjury under the laws of the United States of
America that the foregoing is true and correct and that I am employed in the office
16 of a member of the bar of this Court at whose direction the service was made.

17 Executed on November 4, 2015, at Glendale, California.

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19 _____
20 Teresa A. Pagan

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